REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	17 August 1999
Name of applicant/court:	The District Court at Auckland
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Cyfil 13
Other Known Titles:	Photos\Cyfil\Cyfil 13
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Applicable
Author:	Not Applicable
Format:	Computer Image File
Country of Origin:	Not Stated
Language:	English

Components of film originally examined: Not Applicable.

Feature:	Running time:
Trailers:	Running time:
	Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

Direction to issue a label has been given on: Not Applicable.

SUMMARY OF THE REASONS FOR DECISION:

The computer image file entitled *Cyfil 13*, also known as *Photos\Cyfil\Cyfil* 13, is classified as:
Objectionable.

The computer image file contains four black and white photographs of equal size forming a frame measuring approximately 29cm wide by 21.5cm high on screen. The file is one of a total of 280 computer image files submitted together and stored on a Jaz disk. The images have the same young Asian female in each. The images explicitly depict the naked girl engaged in sexual activities with an adult male. In one image she masturbates his erect penis with her face in close proximity. In another she fellates the male while lying on her back; his hand is at her genital region as if he is masturbating or digitally penetrating her. In another image he performs rear entry intercourse on her. The naked girl is the focal subject in each of the four images. The girl visually presents as pre-teen, given her proportions in relation to the male and her body characteristics. The title indicates that she may be 13 years of age.

The computer image file promotes and supports the exploitation of children for sexual purposes, deeming the publication objectionable under s3(2) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act). Other than the fact that the images depict a child subject, the images are the same in style as explicit sexual material depicting adults and intended for adult sexual stimulation. The digitised format of the images allows for optimal reproduction qualities while facilitating wide distribution of the file to suitably equipped and networked computers nationally or internationally, or storage on disks. Given the characteristics of the publication, the Classification Office considers that the main purpose of the image file is the titillation or sexual arousal of adult computer users with a sexual interest in children.

Referring to New Zealand Bill of Rights Act 1990 considerations, the limit on freedom of expression resulting from the application of s3(2) of the FVPC Act is demonstrably justified and prescribed by law.

OFLC Ref: 9901171